

AT DANVILLE, VA
FILED

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

APR 13 2015

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

United States of America)

v.)

MARIO DEMARN WALLER)

Case No: 4:09cr00032-001

USM No: 14093-084

Date of Previous Judgment: 11/04/2011)

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 78 months is reduced to 72 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 15Amended Offense Level: 13Criminal History Category: 1Criminal History Category: 1Previous Guideline Range: 18 to 24 monthsAmended Guideline Range: 12 to 18 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

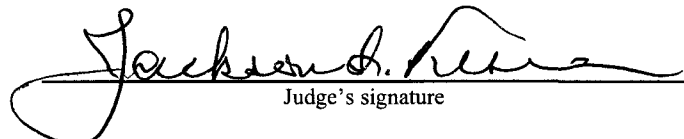
☐ Other (explain):

III. ADDITIONAL COMMENTS

* Defendant's sentence is reduced to 72 months, but not less than time served. Defendant's sentence consists of twelve (12) months on Count 4 and sixty (60) months on Count 6, which are to be served consecutively.

Except as provided above, all provisions of the judgment dated 11/04/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 4-13-15Effective Date: 11/01/2015
(if different from order date)

Judge's signature

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title